

19880926

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

MONDAY, SEPTEMBER 26, 1988

AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:00 p.m. with no quorum present. A quorum was present at 2:06 p.m. with Council Member Struiksma not present. Mayor O'Connor adjourned the meeting at 7:02 p.m. to meet in Closed Session on Tuesday, September 27, 1988 at 9:30 a.m. in the twelfth floor conference room on pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-excused by R-272043
(City business in London, England)
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (jb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member McColl-present
- (4) Council Member Pratt-not present
- (5) Council Member Struiksma-not present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-not present

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for the Regular Meeting of September 26, 1988**

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ITEM-10: INVOCATION

Invocation was given by Reverend Philip M. Teran,
Pastor of San Diego Grace Brethren Church.

FILE LOCATION: MINUTES

Sep-26-1988

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Henderson.

FILE LOCATION: MINUTES

ITEM-30: (R-89-562) ADOPTED AS RESOLUTION R-271951

Commending the Ninth District PTA for its role and function
in the community of San Diego; expressing gratitude to the
many volunteers donating hours of effort for its programs;
proclaiming Monday, September 26, 1988 to be "Ninth
District PTA Day" in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A080-129.)

MOTION BY FILNER TO ADOPT. Second by McColl. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-31: (R-89-561) ADOPTED AS RESOLUTION R-271952

Recognizing the accomplishments of the San Diego Stars and
commending them for their tournament championship in the
1988 Beijing World Baseball Tournament; designating Monday,
September 26, 1988 as "San Diego Stars Appreciation Day" in
San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A130-215.)

MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-32: (R-89-706) ADOPTED AS RESOLUTION R-271953

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Proclaiming October, 1988 to be "Museum Month" in San Diego, and urging all residents to participate in the many events focusing on this worthy celebration of our City's museums.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A130-215.)

MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Sep-26-1988

ITEM-33: APPROVED

Approval of Council Minutes for the Meetings of:

7/26/88
8/01/88 Special
8/02/88
8/08/88
8/09/88
8/29/88 Adjourned
8/30/88 Adjourned
9/05/88 Adjourned
9/06/88 Special
9/15/88 Special

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A216-220.)

MOTION BY HENDERSON TO APPROVE THE MINUTES. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-34: NOTED AND FILED

(Continued from the meeting of September 6, 1988, Item 33,
at the appellant's request, to have time to work out an
acceptable plan with the neighborhood.)

Matter of the request of Raman Kurkchubasche, for a hearing
of an appeal from the decision of the Planning Commission
in failing to approve La Jolla Shores Planned District
Permit LJS-8645, proposing to demolish an existing
single-family residence to be replaced by a new
22-foot-high residence. The subject property is located at
2337 Calle Corta and is further described as a portion of
Pueblo Lot 1297, in Zone SF (single-family), in the La
Jolla Shores Planned District.

(LJS-8645. District-1.)

A motion granting or denying the request for a hearing of the
appeal.

FILE LOCATION: PERM - LJS-8645

COUNCIL ACTION: (Tape location: A228-230.)

MOTION BY WOLFSHEIMER TO NOTE AND FILE. Second by McColl.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-50: (O-89-9) ADOPTED AS ORDINANCE O-17147 (New Series)**

Incorporating various properties within Sorrento Valley,
Los Penasquitos Lagoon, Los Penasquitos Canyon and Lopez
Canyon into the Floodway (FW) Zone and the Floodplain
Fringe (FPF) Overlay Zone.

(Case-88-0420. Districts-1 & 5. Introduced on 9/13/88.

Council voted 9-0. Motion by Councilmember Wolfsheimer to
accept the staff proposal with the following change: with
regard to the Penasquitos Lagoon area, where there are
actual wetlands, that it be designated "Tidal Estuary
Wetlands".)

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A281-286.)

CONSENT MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING AND ADOPT. Second by Pratt. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

*** ITEM-100: (R-89-386) ADOPTED AS RESOLUTION R-271954**

Awarding a contract to Western Waste Industries for furnishing refuse container service for the Park and Recreation Department, as may be required for a period of one year beginning October 1, 1988 through September 30, 1989, for an estimated cost of \$112,000, with an option to renew the contract for an additional one year period, with option year increases not to exceed 4 percent of the original contract price. (BID-0073/89)

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-101:**

Two actions relative to the Improvement of Beyer Boulevard
- Between Faivre Street and Iris Avenue:
(Otay Mesa/Nestor Community Area. District-8.)

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Subitem-A: (R-89-381) ADOPTED AS RESOLUTION R-271955

Inviting bids for the Improvement of Beyer Boulevard - Between Faivre Street and Iris Avenue on Work Order No. 122395; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$52,000 from Capital Outlay Fund 30245, CIP-52-312.0, Miramar Road (Eastgate Mall to A.T. and S.F. Railroad); \$8,500 from Gas Tax Fund 30219,

CIP-52-328.0, Friars Road Median Barrier and Traffic Signal - San Diego Stadium; and \$60,000 from Gas Tax Fund 30219, CIP-52-328.2, Friars Road Median Barrier - Mission Center Road to River Run Drive to CIP-52-110.2, Beyer Boulevard - Route 117 to North City Limit; authorizing the expenditure of an amount not to exceed \$839,500 from CIP-52-110.2, Beyer Boulevard - Route 117 to North City Limit, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-0127/89FA)

Subitem-B: (R-89-384) ADOPTED AS RESOLUTION R-271956

Certifying that the information contained in Environmental Negative Declaration END-83-0227, dated October 25, 1983, in connection with the Improvement of Beyer Boulevard - Between Faivre Street and Iris Avenue, has been completed in compliance with the California Environmental Quality Act of 1970, and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: Beyer Boulevard is presently a narrow two-lane strip of pavement for a distance of approximately one-half of the project limits. Current traffic volumes are in excess of 10,000 vehicles per day, which is beyond the desirable capacity of the existing facility. The proposed improvement project will widen the existing two-lane street to four-lane major street standards with curbs, gutters, bicycle lanes and sidewalks from Iris Avenue on the south to Faivre Street on the north. In addition to the street improvements, a new bridge will be constructed over the Otay River to replace the deteriorating existing wooden bridge. The project, when completed, will assure safe and efficient movement of traffic and is consistent with the General Plan and Circulation Element of the Otay Mesa-Nestor Community Plan. The project design was originally completed in FY83, but, due to lack of funding, construction was delayed to FY87. Extensive land development adjacent to the project and the revision of

design standards made it necessary to revise the project design which delayed construction of the project until FY89.

Aud. Cert. 8900200.

FILE LOCATION: W.O. 122395 CONT - R.E. Hazard Contracting Co. CONTFY89-1

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-89-383) ADOPTED AS RESOLUTION R-271957

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Inviting bids for the San Diego Jack Murphy Stadium Electrical Transformer Replacement Project on Work Order No. 119032; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$500,000 (\$153,236 from Capital Outlay Fund 30245, \$223,200 from Capital Outlay Miscellaneous Revenues 302453 and \$123,564 from Stadium Operations Fund 10330) from CIP-37-420.0, San Diego Jack Murphy Stadium Electrical Transformer, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the Stadium Operations Fund 10330. (BID-0125/89) (Mission Valley Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: There are presently fourteen electrical transformers at San Diego Jack Murphy Stadium that contain polychlorinated biphenyls (PCB's). Environmental Protection Agency (EPA) regulations (Code of Federal Regulations 40, Part 761) requires the removal of the PCB's from the transformers or replacement of the transformers by October 1, 1990. CIP-37-420.0 has been established for the replacement of the PCB transformers with dry type transformers during FY 1989. Replacement of the transformers at this time will allow sufficient time to meet the regulations and eliminate the current expense of maintaining the PCB transformers.
Aud. Cert. 8900237.

FILE LOCATION: W.O. 119032 CONT - Westinghouse Electric Corp CONFY89-1

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-103:**

Two actions relative to the Construction of Tecolote Canyon
Erosion Control Revegetation:
(Clairemont Mesa and Linda Vista Community Areas.
Districts-5 and 6.)

Subitem-A: (R-89-391) ADOPTED AS RESOLUTION R-271958
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Approving Change Order No. 2, dated August 18, 1988, issued in connection with the Construction of Tecolote Canyon Erosion Control, amounting to a decrease in the contract cost of \$86,403.

Subitem-B: (R-89-389) ADOPTED AS RESOLUTION R-271959

Inviting bids for the Construction of Tecolote Canyon Erosion Control Revegetation on Work Order No. 164064; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$86,403 from CIP-22-050.4, Mission Bay Water Quality, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in CIP-22-050.4, Mission Bay Water Quality. (BID-0132/89)

CITY MANAGER SUPPORTING INFORMATION: This contract will install City furnished seeds and plants to revegetate a City erosion control project in Tecolote Canyon Natural Park completed in July 1988. Seeding/planting, which was originally part of the project construction contract, is being deleted by change order at the request of the contractor due to a necessary

four month delay. The areas to be planted will be non-irrigated and it is necessary to delay seeding/planting until the beginning of the rainy season in November/December. The City-furnished seeds have been obtained by Purchase Order 0150862 and the plants have been obtained by Purchase Orders 0150863 and 0150864.

Aud. Cert. 8900257.

FILE LOCATION:

Subitem A CONT - Silberger Engineers, Inc.;

Subitem B W.O. 164064 CONT - Landscape &
Irrigation Specialists, Inc. CONTFY89-2

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-104:**

Two actions relative to the final subdivision map of Mesa Classic - Unit No. 2, a 29-lot subdivision located southeasterly of Flanders Drive and Camino Santa Fe: (Mira Mesa Community Area. District-5.)

Subitem-A: (R-89-527) **ADOPTED AS RESOLUTION R-271960**
Authorizing the execution of a Subdivision Improvement Agreement with Pardee Construction Company for the installation and completion of public improvements.

Subitem-B: (R-89-526) **ADOPTED AS RESOLUTION R-271961**
Approving the final map.

FILE LOCATION: SUBD - Mesa Classic - Unit No. 2
CONTFY89-1

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-105:**

Two actions relative to the final subdivision map of Tierrasanta Norte II, Unit No. 4, an 81-lot subdivision located southwesterly of Antigua Boulevard and Via Valarta: (Tierrasanta Community Area. District-7.)

Subitem-A: (R-89-270) ADOPTED AS RESOLUTION R-271962
Authorizing the execution of a Subdivision Improvement Agreement with Tierrasanta L-L Partnership for the installation and completion of public improvements.

Subitem-B: (R-89-269) ADOPTED AS RESOLUTION R-271963
Approving the final map.

CITY MANAGER SUPPORTING INFORMATION: Tentative Map Resolution No. 5339, Item 14, requires an agreement satisfactory to the Park and Recreation Director providing certain street and utility improvements on Antigua Boulevard adjacent to Tierrasanta Norte Park for which Facilities Benefit Assessment credit will be granted. Due to difficulties with the Federal Government General Services Administration, Tierrasanta L-L Partnership has been unable to acquire the right-of-way necessary to make the required improvements. It is recommended that the Final Map be approved at this time without the agreement. Tierrasanta L-L Partnership has agreed not to seek occupancy permits for any buildings within this subdivision until the acquisition is accomplished. The right-of-way is expected to be acquired within two or three months, at which time we will issue the necessary improvement permit and submit the reimbursement agreement to the City Council for consideration.

FILE LOCATION: SUBD - Tierrasanta Norte II, Unit No. 4
CONTFY89-1

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-106: (R-89-536) ADOPTED AS RESOLUTION R-271964**

Authorizing the City Manager to release a portion of the surety issued by Union Bank in the form of Letter of Credit No. 455/33222, for Subdivision Improvement Agreement for Somerset Village East, so that the same is reduced as follows: 1) For faithful performance, to the sum of \$285,460; 2) For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$142,730. (North City West Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On February 23, 1987, the City entered into an agreement with Del Mar Village Associates for the construction of public improvements for Somerset Village East. Letter of Credit 455/33222, issued by Union Bank, in the amount of \$633,641 was provided by the subdivider. The agreement expires February 23, 1989. Seventy-three percent of the work has been completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety.

The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. In accordance with Council Policy 800-11, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, \$348,180 of the original surety will be released which will reduce the surety to \$285,460.

FILE LOCATION: SUBD - Somerset Village East

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-107:**

Two actions relative to the grant of an electrical easement
to San Diego Gas & Electric Company - City Facility:

Subitem-A: (R-88-2258) ADOPTED AS RESOLUTION R-271965

Authorizing the execution of a deed conveying to San Diego
Gas & Electric Company an easement for overhead electrical
facilities and appurtenances, affecting City-owned portion
of the Southeast Quarter of the Southwest Quarter of
Section 27, Township 13 South, Range 1 West, S.B.B.M. -
Mt. Woodson.

Subitem-B: (R-88-2259) ADOPTED AS RESOLUTION R-271966

Certifying that the information contained in Environmental
Negative Declaration END-P87-031, prepared by the County of
San Diego in connection with a San Diego Gas & Electric
easement on Mt. Woodson, has been received and considered
by the Council.

CITY MANAGER SUPPORTING INFORMATION: In March of 1987, San
Diego Gas & Electric Company approached the City with a proposal
to develop a microwave/radio communications facility on Mt.
Woodson located northwest of Poway in the County. For the use
of City-owned land, SDG&E will construct the facility, allow the
City to use one-half of the building (600 sq. ft.) at no charge,
and pay the City \$1,000 per month on a 10-year lease. The City
will install, maintain and operate its own equipment at the
facility. This easement will provide electrical service to the
facility. Since the proposed easement will directly and
exclusively serve a City facility, by nature of the joint
venture, there will be no charge for the granting of this
easement. The easement contains 1,256 square feet. The City's
Communications and Electrical Division has approved the proposed
easement.

FILE LOCATION: DEED F-4622 DEEDFY89-1

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-108: (R-89-552) ADOPTED AS RESOLUTION R-271967**

Authorizing the execution of a quitclaim deed, quitclaiming to Super Shops, Inc., the revestment of abutter's rights of access to Clairemont Mesa Boulevard adjacent and contiguous to Parcel 2 of Parcel Map PM-15319, to allow better utilization of the land.

(Serra Mesa Community Area. District-5.)

FILE LOCATION: DEED F-4623 DEEDFY89-1

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-109: (R-89-514) ADOPTED AS RESOLUTION R-271968**

Amending the Conflict of Interest Code of the Office of the City Clerk, as amended by Resolution R-265851, adopted on June 2, 1986.

CITY CLERK SUPPORTING INFORMATION: Government Code Section 82019(c) states a "Designated Employee", for purposes of disclosure under regulation of the Political Reform Act is an individual whose "position entails the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest. Each designated employee shall file an annual statement...disclosing investments, interest in real property and income..." It is suggested that Exhibit A be amended to include the recently approved positions of Deputy Director and that Exhibit B, Category 1 language be revised as follows to reflect ongoing responsibilities of the City Clerk:

All reportable investments, interest in real property or source of income in any firm or entity that provides printing services in and around The City of San Diego, prints and publishes a newspaper with classified advertising in and around the City of San Diego or any firm or entity that provides printing services or furnishes classified advertising services to The City of San Diego and any firm or entity that provides contractual Elections Services or micrographics, records storage or records destruction services in and around The City of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-110:**

Three actions relative to authorizing Suggestion Awards to the following employees:

Subitem-A: (R-89-563) ADOPTED AS RESOLUTION R-271969
Michael McCollough - Police Department - \$5,000.

Subitem-B: (R-89-564) ADOPTED AS RESOLUTION R-271970
Susan Levine - Communications and Electrical Department - \$745.74.
Robin Glenn - Risk Management Department - \$387.71.
Dennis Marnell - General Services Department - \$160.
Donald Phillips - City Manager's Office - \$130.

Subitem-C: (R-89-565) ADOPTED AS RESOLUTION R-271971
James Erwin - Water Utilities Department - \$100.
Robert Willhelm - Fire Department - \$50.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-111: (R-89-555) ADOPTED AS RESOLUTION R-271972

Authorizing the Auditor and Comptroller to transfer within the General Fund 100 the sum of \$10,723.45 from the Unallocated Reserve (605) to the Allocated Reserve (901) to supplement Resolution R-269692 for the purpose of defraying expenses in connection with the America's Cup litigation in New York.

Aud. Cert. 8900262.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A571-580.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-112: (R-89-576) ADOPTED AS RESOLUTION R-271973**

Approving the transfer of property tax revenue from the dissolved San Diego County Lighting Maintenance District No. 1 to the City of San Diego for those properties which lie within the City; declaring that the Clerk of the Board of Supervisors shall, on behalf of the City of San Diego, notify the County Auditor and the Local Agency Formation Commission of such negotiated exchange of property tax revenues by forwarding to them a copy of this resolution.

CITY MANAGER SUPPORTING INFORMATION: On July 1, 1988, the County of the San Diego dissolved its Lighting Maintenance Districts No. 1 and No. 3 and formed a new assessment district, the San Diego County Street Lighting District, which covers only the unincorporated area of the County. A portion of the City of San Diego was in Lighting Maintenance District No. 1 and continues to generate property tax revenue for the District.

This resolution is required in order that property tax revenue generated for the District by properties located within the City of San Diego may be transferred to the City of San Diego.

FISCAL IMPACT: The transfer of property tax revenue from the District to the City of San Diego in FY 1989 is estimated to be \$25.

Lockwood/Frazier/JLM

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-113: (R-89-609) ADOPTED AS RESOLUTION R-271974

Temporarily designating Second Avenue between Broadway and C Street as "42nd Street" for the period of October 7 - October 30, 1988 to coincide with the San Diego Civic Light Opera Association's production of "42nd Street".
(Centre City Community. District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-114: (R-89-541) ADOPTED AS RESOLUTION R-271975

Authorizing the execution of a participation agreement with Appel Development Corporation for the widening of the west side of Genesee Avenue northerly of Mt. Etna Drive; authorizing the expenditure of an amount not to exceed \$28,664 from CIP-58-001.0, Annual Allocation, New Developments, Capital Outlay Fund 30245, for the purpose of providing funds for the above project.
(Clairemont Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: In 1963 the City entered into an agreement with the property owners of Lots 1961 and 1962, East Clairemont Unit No. 12. The property is located at the westerly corner of Mt. Etna Drive and Genesee Avenue. It has been resubdivided and is now known as Liberty Park. In general, the agreement provides for the property owner to dedicate an additional 12 feet of right-of-way on Genesee and pay for 12 feet of additional paving. In exchange for the right-of-way and paving, the City revested access rights and agreed to pay for moving the curb and sidewalk. The agreement also acknowledged that the "improvements may not be required for some time in the future." The agreement was consistent with the Council Policy which was in effect at that time. Appel Development Corporation was issued Public Improvement Permit No. W32699 on January 29, 1987, which includes the work covered by the 1963 agreement. The cost to move approximately 830 lin. ft. of curb and sidewalk, including the reconstruction of a curb inlet, is \$28,664, and the developer is requesting reimbursement in that amount in accordance with the 1963 agreement.

Aud. Cert. 8900232.

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-115:**

Five actions relative to contracts for plan checking services:

Subitem-A: (R-89-515) ADOPTED AS RESOLUTION R-271976
Authorizing the execution of an agreement with BSI
Consultants, Inc. for plan checking services.

Subitem-B: (R-89-516) ADOPTED AS RESOLUTION R-271977
Authorizing the execution of an agreement with Esgil
Corporation for plan checking services.

Subitem-C: (R-89-517) ADOPTED AS RESOLUTION R-271978
Authorizing the execution of an agreement with Willdan Associates for plan checking services.

Subitem-D: (R-89-518) ADOPTED AS RESOLUTION R-271979
Authorizing the City Manager to collect increased plan check fees as specified in the contracts with BSI Consultants, Inc., Esgil Corporation, or Willdan Associates when applicants for building permits request that checking of their plans be expedited.

Subitem-E: (R-89-519) ADOPTED AS RESOLUTION R-271980
Authorizing the expenditure of an amount not to exceed \$200,000 from Fund 1300, Organization 2212, Account 4151, Job Order 2241, for the purpose of providing funds for contracts for plan check services.

CITY MANAGER SUPPORTING INFORMATION: These resolutions authorize the City Manager to enter into contracts with BSI Consultants, Inc., Esgil Corporation and Willdan Associates for full service contract plan checking services. These services will be used to supplement those provided by Building Inspection staff when needed to maintain permit processing time goals stated in the Building Inspection Department FY 89 budget. The contracts are identical and provide that, through June 1989, each firm, upon written request by the City, will review and check for completeness and correctness the design of designated buildings, develop lists of corrections, consult with the designer to facilitate needed corrections, and transmit the corrected building drawings to the Building Inspection Department. The fee for services performed shall be 80 percent of the Plan Review Fee specified in Section 304 of the 1985 edition of the Uniform Building Code. This fee is 30 percent to 60 percent higher than the fee currently collected. These higher fees will be collected from applicants for building permits, but only when the applicant requests that the building plans are to be expedited. These contracts are necessary because it is anticipated that a large volume of building permit applications will be submitted in the next six months. Because

of the immediate anticipated increase in submittals, it is necessary to have the contracts executed quickly. Therefore, in order to save time, these consultants were selected by City staff, and advertising for consultants was not performed. This is consistent with Council Policy 300-7 where a time constraint exists. These three firms are the only firms that we are presently aware of in Southern California who perform full service plan checking services.

Aud. Cert. 8900214.

FILE LOCATION: MEET CCONFY89-3

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150:

Three actions relative to the Enhanced Housing
Inspection/Enforcement Program:
(See City Manager Report CMR-88-388.)

Subitem-A: (R-88-2302 Rev. 1) ADOPTED AS RESOLUTION
R-271981

Adoption of a Resolution implementing a program of aggressive housing code enforcement in areas of the City where experience indicates that priority enforcement is necessary; approving cost recovery and associated fees as follows:

1. A penalty fee for operating a housing establishment without a permit, as established on the fee schedule;
2. A cost recovery fee for reinspection services (after an initial notice and one follow-up inspection) as established on the fee schedule;
3. A cost recovery fee for transferal of housing permits, as established on the fee schedule;

Revising the existing housing permit fee and delinquent fee schedule; declaring that the strengthened program and the new and revised fees shall take effect as of January 1, 1989.

Subitem-B: (O-88-203 Rev. 1) INTRODUCED, TO BE ADOPTED
OCTOBER 10, 1988

Introduction of an Ordinance amending Chapter IX, Article 8, Division 1, of the San Diego Municipal Code by amending Sections 98.0107, 98.0110, and 98.0111, relating to Housing Permits; Housing Permits, Duration and Transfer; and Housing Permit Fees.

Subitem-C: (O-89-64) HEARING APPROVED

First public hearing in the matter of:

Amending Ordinance No. O-17122 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1988-89 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17122-1, as amended and adopted therein, by adding to the personnel authorization of the Building Inspection Department (1300), Housing Inspection Division (2512), three Building Inspector II positions and one Administrative Aide II, for purposes of strengthening the City's Housing Code Enforcement Program.

COMMITTEE ACTION: Reviewed by PSS on 8/3/88. Recommendation to approve the City Manager's recommendation. The Committee requested that the concepts for further discussion be returned in January 1989. Districts 2,3,4 and 6 voted yea. District 7 not present.

CITY MANAGER SUPPORTING INFORMATION: On August 3, 1988 the Public Services and Safety Committee concurred with the Manager's recommendations related to strengthening of the City's housing code enforcement efforts. Those recommendations included the addition of four positions in the Building Inspection Department's Housing Inspection Division: Three Building Inspector II (Housing) positions and one Administrative Aide II position. The 1989 Appropriations Ordinance must be amended to authorize these new positions, starting in January of 1989.

Aud. Cert. 8900271.

NOTE: See Item 334 on the docket for Tuesday, September 27, 1988 for the introduction and adoption of the ordinance in

Subitem C.

FILE LOCATION:

Subitem A MEET;

Subitems B & C--

COUNCIL ACTION: (Tape location: H135-138.)

MOTION BY HENDERSON TO APPROVE. Second by Pratt. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-151: TRAILED TO TUESDAY, SEPTEMBER 27, 1988, AT 2:00 P.M.

(Continued from the meetings of June 27, 1988, Item 153, July 18, 1988, Item 151, July 25, 1988, Item S403, August 2, 1988, Item S400 and September 12, 1988, Item 152; last continued at the City Manager's request, to be heard by Council after the workshop on Secondary Sewage Treatment scheduled for September 21, 1988.)

In the matter of a request from Council Member Henderson that the City Council consider using the Water Utilities bill insert as the method to notify rate payers of the impending cost of achieving secondary treatment.

(See City Manager Report CMR-88-214 and memorandum from Council Member Henderson dated 3/10/88.)

COMMITTEE ACTION: Initiated by PSS on 5/4/88. Recommendation to forward Council Member Henderson's request to full Council without a recommendation. Districts 3, 6 and 7 voted yea. Districts 2 and 4 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A231-265.)

MOTION BY PRATT TO TRAIL TO TUESDAY, SEPTEMBER 27, 1988 AT 2:00 P.M. Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

ITEM-200: TRAILED TO TUESDAY, SEPTEMBER 27, 1988,
 AT 2:00 P.M.

(Continued from the meeting of September 12, 1988, Item
203, at the City Manager's request, to be heard by Council
after the workshop on Secondary Sewage Treatment scheduled
for September 21, 1988.)

In the matter of reconsideration of the Council's approval
of the Public Participation Plan developed by James M.
Montgomery, Consulting Engineers, Inc. which provides for
community outreach and public hearings on secondary
treatment and wastewater.

NOTE: On July 25, 1988, Council voted 5-4 (Districts 1, 6,
8, and Mayor voted nay) to approve the Participation Plan.
On August 2, 1988 Council voted 9-0 to reconsider. Council
also directed the City Manager and City Attorney to report
back with an analysis of the matter and the status of the
waiver issue.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A231-265.)

MOTION BY PRATT TO TRAIL TO TUESDAY, SEPTEMBER 27, 1988, AT 2:00
P.M. Second by McColl. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

ITEM-201: (R-89-478 Rev.) NOTED AND FILED

(Continued from the meeting of September 12, 1988, Item
S407, at Mayor O'Connor's request, to be heard by Council
after the workshop on Secondary Sewage Treatment scheduled
for September 21, 1988.)

Declaring that it is the intent of the City to use its best
efforts in good faith to achieve and maintain full
compliance with the Clean Water Act, the Porter-Cologne Act
and the Water Quality Control Plan for Ocean Waters of

California adopted by the California State Water Resources Control Board, including compliance with all requirements of NPDES Permit No. CA 0107409, at the earliest practicable time; recognizing that the proper planning for secondary treatment facilities (estimated to be approximately 1.5 billion dollars) requires a 39 month planning process as recommended by its project manager, James M. Montgomery, Inc.; requesting the United States Justice Department and the Environmental Protection Agency permit through an appropriate legal document said 39 month planning process before seeking additional enforcement options; resolving that the City Council, upon receipt of the Final Project Report intends to fulfill its obligations to the Clean Water Act by directing full implementation of the secondary treatment project(s) as recommended by its project manager and approved by the City Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A300-470.)

MOTION BY McCOLL TO NOTE AND FILE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (R-89-488) ADOPTED AS RESOLUTION R-271982

Authorizing the City Auditor and Comptroller to add Solana Highlands Neighborhood Park - Improvements, CIP-29-676, to the FY 89 Capital Improvement Program; authorizing the City Auditor and Comptroller to transfer \$80,000 from PSD Fund 11190 to CIP-29-676, Solana Highlands Neighborhood Park - Improvements.

(North City West Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Solana Highlands Neighborhood Park is part of the school/park facility in North City West Neighborhood 3. Shortly after the park was completed, community representatives expressed a desire for a larger children's play area with more equipment. They also asked for turf in lieu of the ground cover in this area. The proposed addition to the FY 89 CIP will provide those improvements.

Aud. Cert. 8900216.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A471-570.)

MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (R-89-586) ADOPTED AS RESOLUTION R-271983

Authorizing the City Manager to execute an amendment to the agreement with the County of San Diego for the collection of Special Taxes and Assessments.

(See City Manager Report CMR-88-460.)

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: A471-570.)

MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-204:

Two actions relative to a preliminary road design SR-905 Corridor:

(See City Manager Report CMR-87-373. Otay Mesa Community Area. District-8.)

Subitem-A: (R-89-539) ADOPTED AS RESOLUTION R-271984

Adoption of a Resolution authorizing the execution of an agreement with Sholders and Sanford, Inc. to provide a preliminary road design - SR 905; authorizing the expenditure of an amount not to exceed \$115,000 from CIP-52-438.0, for the purpose of providing funds for the above project.

Subitem-B: (O-89-50) HEARING APPROVED

First public hearing in the matter of:

Amending Ordinance O-17122 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1988-89) and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-17122-1, as amended and adopted therein, by establishing Capital Improvement Project No. 52-438.0, "Preliminary Road Design - SR 905 Corridor," to permit the design of a new roadway; authorizing the Auditor and Comptroller to transfer the sum of \$115,000 from Otay Mesa Facilities Development Fund, No. 39062, to CIP-52-438.0, for the purpose of funding CIP-52-438.0, "Preliminary Road Design - SR 905 Corridor."

NOTE: See Item 335 on the docket of Tuesday, September 27, 1988 for the introduction and adoption of the ordinance.

CITY MANAGER SUPPORTING INFORMATION: In conformance with the Otay Mesa Phasing Concept, outlined in the City Manager Report CMR-87-373 issued July 22, 1987 and approved by the Transportation and Land Use Committee on July 27, 1987, this agreement would provide preliminary engineering plans, environmental and soils reconnaissances and cost estimates for an interim four and six lane facility within the SR-905 corridor. Ultimately, construction of this facility would contribute to the accommodation of future traffic volumes in the development of the Otay Mesa area. It is proposed to utilize the services of a consultant to prepare this study and preliminary design since City staff are already fully committed to other projects. Consultants submitted letter of interest and five were interviewed in conformance with Council Policy 300-7. the firm of Sholders and Sanford, Inc. was selected. They would be responsible for the preparation of preliminary engineering plans, environmental and soils reconnaissance and cost estimates.

Aud. Cert. 8900223.

FILE LOCATION:

Subitem A MEET;

Subitem B-- CCONFY89-1

COUNCIL ACTION: (Tape location: A471-570.)

MOTION BY PRATT TO APPROVE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-205: APPROVED

(Continued from the meeting of April 18, 1988, Item S405, at the City Manager's request, to allow staff to complete a comprehensive analysis of the parking and access report submitted by a Consultant; continued from the meeting of July 18, 1988, Item 201, at the City Manager's request, to continue discussions of this plan with the Park and Recreation Board; and continued from the meeting of August 9, 1988, Item 337, at Dick Bundy's request, because the present report doesn't contain the compromise as promised.) Matter of the Balboa Park Master Plan.

(Balboa Park Community Area. District-8.)

NOTE: See Item 206 on today's docket for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G285-H134.)

MOTION BY FILNER TO APPROVE THE CITY MANAGER'S RECOMMENDATIONS (CITY MANAGER'S REPORT CMR-88-395), PLUS THE RECOMMENDATIONS THAT HE SUBMITTED TO COUNCIL WITH HIS SUGGESTED AMENDMENTS. Second by Pratt. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-yea, Struiksmma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-206:

(Continued from the meeting of August 9, 1988, Item S502, at Dick Bundy's request, to be heard with the related companion item.)

Two actions relative to the Balboa Park Master Plan:

(See City Manager Report CMR-88-395. Balboa Park Community Area. District-8.)

19880926

**Subitem-A: (R-89-289 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-271986**

Supplementing Resolution R-269705 adopted November 9, 1987
by approving City Manager Report CMR-88-395 and the
recommendations contained relative to the following parts
concerning the Balboa Park Master Plan:

- Vision Statement;
- Plan Elements;
- Goals and Policies;
- Precise Plans/General Development Plans;
- Access and Parking Alternative F;
- Circulation and Parking;
- Project Listing;
- Phasing Plan;
- Financing Plan.

Authorizing the City Auditor and Comptroller to transfer
\$50,000 from the General Fund Unallocated Reserve,
Department 605 to the Allocated Reserve, Department 901 for
purposes of finalizing the approved Master Plan Document;
directing the City Manager to return to the City Council
within 90 days with a consultant services agreement to
accomplish the above work approved for the Balboa Park
Master Plan.

Subitem-B: (R-89-290) ADOPTED AS RESOLUTION R-271987

Certifying that the information contained in Environmental
Impact Report EIR-84-0595, in connection with the Balboa
Park Master Plan, has been completed in compliance with the
California Environmental Quality Act of 1970, as amended,
and State guidelines, and that said Report has been
reviewed and considered by the Council; adopting the
findings made with respect to the feasibility of the
mitigating measures and project alternatives and the
statements of overriding considerations, if any, contained
within Environmental Impact Report EIR-84-0595, pursuant to
California Public Resources Code, Section 21081.

CITY MANAGER SUPPORTING INFORMATION: This is a companion item to the Balboa Park Master Plan which also appears on today's docket. A supplemental resolution is necessary to dispose of all remaining recommendations regarding the Balboa Park Master Plan not covered by the City Council Resolution R-269705 adopted on November 9, 1987.

Aud. Cert. 8900162.

NOTE: See Item 205 on today's docket for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G285-H134.)

MOTION BY FILNER TO APPROVE THE CITY MANAGER'S RECOMMENDATION (CITY MANAGER REPORT CMR-88-395), PLUS THE RECOMMENDATIONS THAT HE SUBMITTED TO COUNCIL WITH HIS SUGGESTED AMENDMENTS. Second by Pratt. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-yea, Pratt-yea, Struiksmas-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*** ITEM-S400:**

Two actions relative to requesting the authority to hold a public auction and to enter into exclusive sale - Chollas Parkway:

(See City Manager Report CMR-88-405. Mid-City Community Area. District-3.)

Subitem-A: (R-89-245) ADOPTED AS RESOLUTION R-271988

Authorizing the City Manager to enter into exclusive negotiations with the adjacent owner, Jung N. Tom, for the sale of Parcel A, of the unimproved portion of Chollas Parkway, at the appraised value of \$13,000.

Subitem-B: (R-89-246) ADOPTED AS RESOLUTION R-271989

Authorizing the City Manager to hold a public auction for the sale of Parcel B, of the unimproved portion of Chollas Parkway; approving the minimum acceptable bid of \$213,000 for the above described parcel.

COMMITTEE ACTION: Reviewed by PFR on 8/10/88. Recommendation to approve the City Manager's recommendation. Districts 1, 5, 6, 7 and 8 voted yea.

FILE LOCATION:

Subitem A DEED F-4624;

Subitem B DEED F-4625

DEEDFY89-2

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S401: (R-89-117) ADOPTED AS RESOLUTION R-271990

Authorizing the execution of a first amendment to the agreement with Stone Fischer & Associates, for professional services required for the preparation of a General Development Plan for the undeveloped part of Tecolote Community Park; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$87,394 from Park Service District No. 11403 to CIP-29-616.0, Tecolote Canyon Visitors Center; authorizing the expenditure of an amount not to exceed \$156,308 from CIP-29-616.0, Tecolote Canyon Visitors Center (\$68,914 from Capital Outlay Fund No. 30245 and \$87,394 from Park Service District No. 11403), for the purpose of providing funds for the execution of the above first amendment; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(Tecolote Canyon Park Community Area. District-6.)

COMMITTEE ACTION: Reviewed by PFR on 9/14/88. Recommendation to approve the City Manager's recommendation. The Committee requested that PFR review the building interior design prior to final approval. Districts 5, 6, 7 and 8 voted yea. District 1 not present.

CITY MANAGER SUPPORTING INFORMATION: On September 9, 1987, the City Council approved an agreement with Stone, Fischer & Associates for the preparation of a General Development Plan for the undeveloped part of Tecolote Community Park. That plan has been prepared and approved by the Tecolote Canyon Preserve Citizens Advisory Committee, Tecolote Youth Baseball, the Park and Recreation Board and its subcommittees. The proposed amendment will provide the professional services required to design athletic fields, parking lot, landscaping, a Visitors Center building, comfort station and a small storage building, all shown on the approved General Development Plan.

Aud. Cert. 8900049.

FILE LOCATION: MEET CCONFY89-1

COUNCIL ACTION: (Tape location: A581-592.)

MOTION BY HENDERSON TO APPROVE AND DIRECT THE CONSULTANTS TO RETURN TO THE PF&R (PUBLIC FACILITIES AND RECREATION) COMMITTEE WITHIN 120 DAYS WITH DESIGN CONCEPTS FOR THE VISITORS CENTER, AND MEET WITH DISTRICT 6 OFFICE IN THE INTERIM FOR INPUT ON THE COMMUNITY ROOM. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S402: (R-89-496) ADOPTED AS RESOLUTION R-271991

A Resolution approved by the City Council in Closed Session on Tuesday, September 6, 1988, by the following vote: Wolfsheimer-yea; Roberts-yea; McColl-yea; Pratt-yea; Struiksma-not present; Henderson-yea; McCarty-yea; Filner-yea; Mayor-yea.

Authorizing the City Manager to pay the sum of \$48,803.80 in payment of the judgment obtained against the City resulting from flooding damages and subsidence to plaintiffs' property (Superior Court Case No. 586495, Barrios v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$10,097.50 made payable to Terry J. Knoepp, for attorney fees, and one check in the amount of \$38,706.30, for

\$34,704.00 in principal and \$4,002.30 costs awarded after judicial arbitration, made payable to Alden C. Barrios, Verda Barrios and their attorney Terry J. Knoepp in full satisfaction of the amount of the judgment.

CITY MANAGER SUPPORTING INFORMATION: This is the complete and final settlement of all claims filed against the City of San Diego by Alden Barrios as a result of an incident which occurred on February 14, 1984.

Aud. Cert. 8900266.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403:

Ten actions relative to the Transient Occupancy Tax
Allocation:

19880926

Subitem-A: (O-89-67) INTRODUCED, TO BE ADOPTED OCTOBER 10,
1988

Introduction of an Ordinance amending the San Diego Municipal Code by adding Sections 35.0103.3 and 35.0116.3, relating to an addition to the Transient Occupancy Tax and the utilization of revenues derived therefrom.

Subitem-B: (O-89-68) HEARING APPROVED

First public hearing in the matter of:

Amending the FY 1989 budget to allocate and expend funds
for:

Balboa Park Improvements	\$1,000,000
Convention Center Marketing	200,000
Art/Cultural Festivals	800,000

Allocating an amount not to exceed \$3.0 million in City funds to supplement private donations for the 1989 San Diego Festival of Soviet Art and Culture, which is a joint public-private partnership. \$800,000 in FY 1989 would come from funds allocated for art/cultural festivals, \$2,200,000 in FY 1990 would be subject to appropriation of funds in the FY 1990 annual budget for art/cultural festivals.

Subitem-C: (O-89-69) HEARING APPROVED

First public hearing in the matter of:

Authorizing the appropriation of the \$1.0-plus million gift from Joan Kroc and interest earnings and the transfer of funds to San Diego Festivals, Inc. for expenditure in accordance with an operating budget which is to be prepared and presented to Council for approval.

Subitem-D: (R-89-619) ADOPTED AS RESOLUTION R-271992

Adoption of a Resolution approving the financing of \$45 million in improvements to Balboa Park to be funded by debt financing and annual revenue equivalent to approximately one percent Transient Occupancy Tax. The \$45 million is sufficient to cover all the Balboa Park projects proposed in the November, 1987 general obligation bond ballot propositions.

**Subitem-E: (R-89-620 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-271993**

Adoption of a Resolution accepting the recommendations of the Transient Occupancy Allocation Committee to:

- (a) Increase the Transient Occupancy Tax from 8 percent to 9 percent effective June 1, 1989 with the proceeds deposited to the General Fund for general government purposes.
- (b) Approve a policy statement which would, at future City Council discretion:
 - (1) Maintain the Transient Occupancy Tax at 9 percent for at least the next five years;
 - (2) Limit future increases in the tax to a rate that is no greater than the average of 15 major cities;

(3) Allocate funds to programs and projects as detailed in the Committee Report.

Subitem-F: (R-89-621) ADOPTED AS RESOLUTION R-271994
Adoption of a Resolution adopting a Council Policy for future tax increases and the allocation of funds as recommended by the Transient Occupancy Tax Allocation Committee.

Subitem-G: (R-89-622) ADOPTED AS RESOLUTION R-271995
Adoption of a Resolution amending Council Policies 100-4 and 100-11 to be consistent with the new Transient Occupancy Tax rate.

Subitem-H: (R-89-623) ADOPTED AS RESOLUTION R-271996
Adoption of a Resolution authorizing the expenditure of \$800,000 in FY 1989; \$225,000 for City administrative expenses related to the festival and \$575,000 for contractual agreements; directing the City Manager to prepare an operating budget for the \$575,000 which provides for agreements with local art, cultural and educational institutions as well as for an artistic coordinator, insurance, security, and costs related to travelling artists.

Subitem-I: (R-89-624) ADOPTED AS RESOLUTION R-271997
Adoption of a Resolution directing the City Attorney to take the necessary actions to form a new non-profit corporation to be called San Diego Festivals, Inc. in order to facilitate the acceptance of private donations, and expenditure of private donations and public funds related to the 1989 San Diego Festival of Soviet Art and Culture and assist in the preparation and conduct of the festival.

Subitem-J: (R-89-625) ADOPTED AS RESOLUTION R-271998
Adoption of a Resolution authorizing a waiver of Council Policy 300-7, Consultant Services Selection, for contractual agreements related to the Festival.

NOTE: See Item S500 on the docket for Tuesday, September 27, 1988 for the introduction and adoption of the Ordinances in Subitems B and C.

FILE LOCATION:

Subitems A,B,C--;

Subitems D-J MEET

COUNCIL ACTION: (Tape location: A593-G275.)

Motion by McCarty to approve. Second by Wolfsheimer. No vote.

MOTION BY HENDERSON TO INCREASE THE TRANSIENT OCCUPANCY TAX FROM

8 PERCENT TO 9 PERCENT EFFECTIVE JUNE 1, 1989 WITH THE PROCEEDS DEPOSITED TO THE GENERAL FUND FOR GENERAL GOVERNMENT PURPOSES.

Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY PRATT TO APPROVE ITEM 2(b.1) OF CITY MANAGER REPORT 88-436 AS AMENDED WITH A THREE-YEAR CAP INSTEAD OF A FIVE-YEAR CAP. Passed by the following vote: Wolfsheimer-yea,

Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

MOTION BY ROBERTS TO APPROVE SUBITEMS B,C,D,H,I AND J. Second by McColl. Passed by the following vote: Wolfsheimer-nay,

Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

MOTION BY McCARTY TO APPROVE THE BALANCE OF THE ITEMS REGARDING THE BALBOA PARK ISSUES. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ADDITIONAL BUSINESS: (R-89-904) ADOPTED AS RESOLUTION R-272011

During consideration of the above item, Council adopted the following resolution:

Approving one percent (\$30,000) of the Soviet Arts Budget for funding of a Freedom Arts Festival.

FILE LOCATION: MEET

COUNCIL ACTION:

MOTION BY HENDERSON TO APPROVE ONE PERCENT (\$30,000) OF THE BUDGET FOR FUNDING OF A FREEDOM ARTS FESTIVAL, AND REFER IT TO THE ARTS COMMISSION TO COME BACK WITH AN APPROPRIATE PLAN WITH BONAFIDE ORGANIZATIONS. Second by McCarty. Passed by the following vote: Wolfsheimer-nay, Roberts-nay, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-S404: (R-89-639 Rev. 1) ADOPTED AS RESOLUTION R-271999

Approving an agreement with Forbes, Inc. to loan to the City, for exhibition, its entire Forbes Magazine Faberge Egg Collection.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A593-G275.)

MOTION BY ROBERTS TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

MOTION BY HENDERSON TO SUSPEND THE RULES AND EXTEND THE MEETING TIME TO 7:00 P.M. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405:

Two actions relative to the Shepherd Canyon Pipeline Restoration and the Ramona Pipeline:
(Rancho Bernardo and Tierrasanta Community Areas.
Districts 1 and 7.)

Subitem-A: (R-89-617) ADOPTED AS RESOLUTION R-272000

Authorizing the City Manager to enter into an agreement with the San Diego County Water Authority for the Shepherd Canyon Pipeline Restoration; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$2,339,800 within Water Revenue Fund 41502, Water Systems

Construction OUTLAY Program (70592), from Pomerado Pipeline No. 2, CIP-73-248.0, to Shepherd Pipeline Restoration, CIP-73-292.0; authorizing the expenditure of an amount not to exceed \$2,555,800 from Water Revenue Fund 41502, Water Systems Construction Outlay (70592), CIP-73-292.0, for the purpose of providing funds for the above project; authorizing the City Manager to do by City Forces the necessary work to isolate, dewater and perform bacterial tests of the pipeline at a total cost not to exceed \$5,000.

CITY MANAGER SUPPORTING INFORMATION The Shepherd Canyon Pipeline Restoration is intended to eliminate the potential for suspected corrosion induced failures and extend the service life of the pipeline. This very valuable and important link in the City's water transmission system has failed several times, resulting in the temporary loss of adequate service to many of the North City and coastal communities. The prestressed 72-inch diameter, 1.5 mile long Shepherd Canyon Pipeline is similar in size and type to pipelines used by the San Diego County Water Authority (SDCWA). Having experienced similar failures, the SDCWA has relined many miles of its pipelines by inserting cylindrical steel plating inside the existing pipeline. This method has been accomplished at a fraction of the cost of the otherwise premature replacement of the pipelines. Because of their expertise in this relining method, the SDCWA has been asked to provide contractual services for this project. This agreement provides for the SDCWA to manage and administer a construction contract with the lowest bidding and responsible contractor in conformance with standard City contractual policies and practices.

Aud. Cert. 8900283.

WU-U-89-032.

Subitem-B: (R-89-618) ADOPTED AS RESOLUTION R-272001

Authorizing the City Manager to enter into an agreement with the San Diego County Water Authority for design and construction of two connections and additional capacity for the Ramona Pipeline; amending the Capital Improvements Program of the Revenue Fund 41502 by adding the project,

Ramona Pipeline Service Connections, CIP-73-297.0, to the Water System Construction Program (70592); authorizing the Auditor and Comptroller to transfer an amount not to exceed \$3,070,000 within the Water Revenue Fund 41502, from the Water Systems Construction Program (70592), CIP-73-251.0, Carmel Mountain Road Pipeline project to the Water Systems Construction Program (70592), CIP-73-297.0, Ramona Pipeline Service Connections Project; authorizing the expenditure of an amount not to exceed \$3,070,000 from the Water Systems Construction Program (70592), CIP-73-297.0, Ramona Pipeline Service Connections, for the purpose of providing funds for the above project; certifying that the information contained in Environmental Impact Report for the Ramona Pipeline (SCH #87082608) dated March 10, 1988, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Report has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The San Diego County Water Authority (SDCWA) proposed to construct a water transmission pipeline for the purpose of delivering water from the first aqueduct to the City of Ramona. Part of the pipeline alignment runs down Rancho Bernardo Road through the City of San Diego City limits. It is advantageous to the City to have SDCWA increase the size of its proposed pipeline and add service connections to enhance the City's ability to serve Rancho Bernardo and surrounding areas. These connections will provide emergency backup to the City and eliminate low pressures in the Rancho Bernardo area. The pipeline will be located in Rancho Bernardo Road. Connection will be constructed at the intersection of Bernardo Center Drive and the intersection of Alondra Drive. SDCWA policy requires the City to pay for all costs associated with service connections and all costs associated with improvements required to provide additional capacity.

Aud. Cert. 8900281.

WU-U-89-030.

FILE LOCATION: MEET CONTFY89-2

COUNCIL ACTION: (Tape location: A471-570.)

MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S406: CONTINUED TO NOVEMBER 14, 1988, AT 2:00 P.M.

(Trailed as Unfinished Business from the meeting of Tuesday, September 20, 1988, Item S410, due to lack of 5 votes; Continued from the meetings of September 6, 1988, Item 337 and September 13, 1988, Item S405.)

Approval of the proposed Scripps Sunburst Development Agreement between the City of San Diego and Sunburst Homes Company.

The proposed development agreement would apply to approximately 56.7 acres in the Scripps Miramar Ranch community. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with the Scripps Miramar Ranch Community Plan, Vesting Tentative Map VTM-87-0883, Planned Residential Development Permit PRD-87-0883 and the R1-6000, R-3000, R-2500, CN and HRO zones for the 20-year term of the agreement. Additional provisions are included in the draft development agreement. The property subject to the proposed development agreement is located on the north side of Pomerado Road east of the existing terminus of Fronsall Court. A brief legal description is as follows: The southwest quarter of the southwest quarter of Section 26, Township 14 South, Range 2

West, S.B.B.M. and a portion of the northwest quarter of Section 35, Township 14 South, Range 2 West, S.B.B.M. The specific legal description is on file in the City Planning Department.
(Case-88-0424. District-5.)

Subitem-A: (R-89-430)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-84-0744, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council; and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-89-431)

Adoption of a Resolution certifying that the information contained in Addendum 87-0883, an addendum to Environmental Impact Report EIR-84-0744, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum has been reviewed and considered by the Council; and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-C: (O-89-33)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: DEVL - Scripps Sunburst Development Agreement

COUNCIL ACTION: (Tape location: A287-299.)

MOTION BY PRATT TO CONTINUE TO NOVEMBER 14, 1988, AT 2:00 P.M., AT COUNCIL MEMBER STRUIKSMA'S REQUEST. Second by Henderson.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S407: CONTINUED TO NOVEMBER 14, 1988, AT 2:00 P.M.

(Trailed as Unfinished Business from the meeting of September 20, 1988, Item S411, due to lack of 5 votes; Continued from the meetings of September 6, 1988, Item 338 and September 13, 1988, Item S406.)

Approval of the proposed Scripps Eastview Development Agreement between the City of San Diego and ITEC Properties.

The proposed development agreement would apply to approximately 114 acres in the Scripps Miramar Ranch community. The development agreement is being proposed to meet a condition placed on an approved tentative subdivision map for the property. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with the Scripps Miramar Ranch Community Plan, Vesting Tentative Map VTM-87-0884, Planned Residential Development Permit PRD-87-0884 and the A-1-1, R-3000, R1-6000 and HRO zones for the 20-year term of the agreement. Additional provisions are included in the draft development agreement. The property subject to the proposed development agreement is located south of the Poway City Limits on the north and westerly sides of Pomerado Road, opposite the intersection of Beeler Canyon Road. A brief legal description is as follows: The northwest quarter of the southwest quarter; portion of the northeast quarter of the southwest quarter; portion of the northwest quarter of the southeast quarter; portion of the southeast quarter of the southwest quarter

and a portion of the southwest quarter of the northeast quarter, Section 26, Township 14 South, Range 2 West, S.B.B.M. The specific legal description is on file in the City Planning Department.
(Case-88-0423. District-5.)

Subitem-A: (R-89-432)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-84-0744 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council; and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-89-433)

Adoption of a Resolution certifying that the information contained in Addendum 87-0884, an addendum to Environmental Impact Report EIR-84-0744 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council; and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-C: (O-89-34)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION: DEVL - Scripps Eastview Development Agreement

COUNCIL ACTION: (Tape location: A287-299.)

MOTION BY PRATT TO CONTINUE TO NOVEMBER 14, 1988, AT 2:00 P.M., AT COUNCIL MEMBER STRUIKSMA'S REQUEST. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

- * ITEM-S408: (O-89-13) ADOPTED AS ORDINANCE O-17148 (New Series)
Amending Chapter IX, Article 1, Division 2, of the San Diego Municipal Code by amending Section 91.02.2905, by adding Subsection (h) relating to Foundation Investigation, to require geologic investigations prior to the issuance of building permits for certain buildings.
(Introduced on 9/12/88. Council voted 9-0.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A470-571.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S409: (R-89-584) TRAILED TO TUESDAY, SEPTEMBER 27, 1988

Commending the men and women of the San Diego Police Department for performing an outstanding job protecting the citizens of San Carlos and Alvarado Estates; expressing Council pride in the men and women of the San Diego Police Department for their display of professionalism in providing quality public safety service.
(District-7.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A267-280.)

MOTION BY McCARTY TO TRAIL TO TUESDAY, SEPTEMBER 27, 1988.
Second by McColl. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S410: (R-89-583) TRAILED TO TUESDAY, SEPTEMBER 27, 1988

Commending the men and women of the San Diego Fire Department for performing an outstanding job protecting the citizens of San Carlos and Alvarado Estates; expressing Council pride in the men and women of the San Diego Fire

Department for their display of professionalism in
providing quality public safety services.
(District-7.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A267-280.)

MOTION BY McCARTY TO TRAIL TO TUESDAY, SEPTEMBER 27, 1988.

Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

* ITEM-S411: (R-89-638) ADOPTED AS RESOLUTION R-272002

Recognizing the contributions of Pacific Bell and
commending them for their extensive involvement in AIDS
programs; designating Wednesday, September 28, 1988, as
"Pacific Bell Appreciation Day" in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

* ITEM-S412:

Four actions relative to the final subdivision map of Mesa
Pointe, an 18-lot subdivision, located northeasterly of
Mira Mesa Boulevard and Camino Santa Fe:
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-89-629) ADOPTED AS RESOLUTION R-272003

Authorizing the execution of a Subdivision Improvement
Agreement with P & W Homes, Inc. for the installation and
completion of public improvements.

Subitem-B: (R-89-628) ADOPTED AS RESOLUTION R-272004

Approving the final map.

Subitem-C: (R-89-630) ADOPTED AS RESOLUTION R-272005

Approving the acceptance by the City Manager of a grant deed of P & W Homes, Inc., granting to the City Lots A and B of Mesa Pointe.

Subitem-D: (R-89-631) ADOPTED AS RESOLUTION R-272006

Approving the acceptance by the City Manager of a street reservation in Lot 112 of Lusk Mira Mesa Residential Unit No. 1, Map-11619; dedicating said land as and for a public street, and naming the same Glendover Lane.

FILE LOCATION:

Subitems A-B SUBD - Mesa Pointe;

Subitem C

DEED F-4626;

Subitem D DEED F-4627

CONTFY89-1;DEEDFY89-2

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S413: (R-89-594) ADOPTED AS RESOLUTION R-272007

Authorizing the execution of a first amendment to the agreement with Rees and Associates, Inc. for Sacramento legislative representation, for the period of October 1, 1988 through December 31, 1989.

(See Intergovernmental Relations Department Report IRD-88-32.)

COMMITTEE ACTION: Reviewed by RULES on 9/21/88.

Recommendation to approve the first amendment to the personal services agreement with Rees and Associates for the remainder of the contract period of 10/1/88-12/31/89. Districts 2, 3, 7 and Mayor voted yea. District 1 not present.

Aud. Cert. 8900289.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A471-570.)

MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S414: (O-89-72) INTRODUCED, TO BE ADOPTED OCTOBER 10, 1988

Introduction of an Ordinance amending Ordinance O-17098 (New Series), as amended, entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City for the Fiscal Year 1988-89", by amending Exhibit B, to create and add a new class entitled "Senior Mechanical Engineer" in the Engineering Occupational Group; amending Exhibits A-1 and A-2 of said Ordinance to provide a new salary rate number 83.0 for said position in the Classified Service; amending Resolution R-270952 to place the newly created class in the Supervisor Representation Unit; and amending Resolution R-270951 to approve and declare the above newly created class as eligible for regular rate overtime by placing it in Group C of said overtime eligibility Resolution R-270951.

(See Report from the Personnel Director dated 9/8/88.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A471-570.)

MOTION BY PRATT TO INTRODUCE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S415: (R-89-636) ADOPTED AS RESOLUTION R-272009

A Resolution approved by the City Council in Closed Session on Tuesday, September 13, 1988, by the following vote: Wolfsheimer-not present; Roberts-not present; McColl-yea; Pratt-yea; Struiksma-not present; Henderson-yea; McCarty-yea; Filner-not present; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$44,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the injuries to Tim Paul Swift (Superior Court Case No. 574431, Tim Paul Swift v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$44,000 made payable to Tim Paul Swift and his attorney, James F. Collins, III, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the personal injury claim of Tim Swift against the City of San Diego as a result of injuries sustained on May 20, 1985.

Aud. Cert. 8900273.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S416: (R-89-640) ADOPTED AS RESOLUTION R-272010

Approving the recommendation to amend Title 21 of the U.S. Code, as set forth specifically in Intergovernmental Relations Department Report IRD-88-30, dated September 14, 1988, concerning the penalty for possession of drugs within 1,000 feet of a park or recreation center.
(See Intergovernmental Relations Department Report IRD-88-30.)

COMMITTEE ACTION: Reviewed by RULES on 9/21/88. Recommendation to approve the IRD recommendation. Districts 2, 3, 7 and Mayor voted yea. District 1 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A471-570.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor
O'Connor at 7:02 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: H145).